

ATTACHMENT B

AFFIDAVIT OF HOMELAND SECURITY INVESTIGATIONS
TASK FORCE OFFICER BRIAN MARTIN

I, Brian Martin, being first duly sworn, do hereby depose and state the following:

1. I have been employed as a deputy sheriff with the Barry County, Missouri, Sheriff's Office, since 1997 and a sworn law enforcement officer since 1985. I am assigned as a task force officer (TFO) with Homeland Security Investigations / Immigration and Customs Enforcement (HSI/ICE) and a member of the Southwest Missouri Cyber Crimes Task Force (SMCCTF) headquartered in Joplin, Missouri. As an investigator with these entities, I have been tasked to investigate computer crimes, including violations against children. I have gained expertise in the conduct of such investigations through training in seminars, classes, and everyday work related to conducting these types of investigations. I have attended trainings provided by the Internet Crimes Against Children Program, the Federal Bureau of Investigation's Regional Computer Forensic Laboratory, and the Missouri Internet Crimes Against Children (ICAC) Task Force. As part of this affiant's duties with HSI/ICE, this affiant investigates criminal violations relating to the production, receipt, distribution, and possession of child pornography, and coercion and enticement, in violation of 18 U.S.C. §§ 2251, 2252, 2252A, and 2422(a) and (b).

2. This affidavit is in support of a criminal complaint charging Kody Ryan KELSO with sexual exploitation of a child, in violation of 18 U.S.C. § 2251(a) and § 2251(e).

3. The information contained in this affidavit is based upon my own investigation, oral, and written reports by other law enforcement officers, and other investigative techniques. The dates and times in this affidavit are approximate. Because the purpose of this affidavit is to set forth only those facts necessary to establish probable cause for this criminal complaint, I have not described all the relevant facts and circumstances of which I am aware.

4. On May 27, 2021, Springfield Police Department (SPD) Detective Lee Walker, a member of the SMCCTF, received Federal Bureau of Investigations (FBI) lead 305A-HQ-1497320-1004_LO. Detective Walker also received Europol report 1267950-254-1. In reviewing the FBI lead and the Europol report, Detective Walker learned that law enforcement in the United Kingdom had engaged in an undercover chat operation. This operation included chats on an online service named MyLOL, which is advertised as a teen dating site with chat features.

5. During this undercover operation, specifically between January 7, 2021, and February 2021, the suspect using the username “notprude” and the unique MyLOL ID 6113388 sent online messages to a purported 13-year-old female with the username “CCbutterfly” on the MyLOL platform. “CCbutterfly” was actually undercover law enforcements officers located in the United Kingdom, posing as a 13-year-old female. During those chats, the suspect expressed a sexual interest in female children. The suspect asked questions about “CCbutterfly’s” sexual preferences and asked if “she” was into sexual intercourse, oral penetration, and masturbation. The suspect then asked if “CCbutterfly” would have sexual intercourse with him. The suspect has also repeatedly requested nude images from “CCbutterfly.”

6. The Europol report included screenshots of the chat logs. Detective Walker reviewed those chat logs and found the following relevant messages that occurred on January 7, 2021:

- a. notprude: “Hiya let’s chat and see if we connect. Do you have an age limit?”
- b. CCbutterly: “hey any age limit 4 wot”
- c. notprude: “dating?”
- d. CCbutterfly: “don’t have b/f how old r u tho”
- e. notprude: “29....”
- f. CCbutterfly: “dunno realy u mind im 13 tho”

- g. notprude: "I don't depending on how mature you are"
- h. CCbutterfly: "oh dunno lol"
- i. notprude: "Do you like sexual stuff?"
- j. CCbutterfly: "wot like sex and stuff"
- k. notprude: "yes sex blow jobs masturbating more"
- l. CCbutterfly: "y u ask me that"
- m. notprude: "Cause I want more then a friend"
- n. CCbutterfly: "arent older boys married tho"
- o. notprude: "I'm not and most arent so would you fuck me"

Detective Walker found the following relevant messages that occurred on January 8, 2021:

- a. notprude: "I'm single but im a very sexual bf"

Later during the conversation on January 8, 2021, the following chats messages were sent:

- a. CCbutterfly: "oh ok how do u do the sexual stuff then with pictures videos and face cam sex and then sexting when"
- b. notprude: "I'm hard and horny"
- c. notprude: "?"
- d. CCbutterfly: "oh ok up to u"
- e. notprude: "Do you have snap or something baby girl?"
- f. CCbutterfly: "yh got whatsapp"

On January 14, 2021, the following relevant chat messages were sent:

- a. notprude: "so i have snap kik skype discord insta googlehangouts"
- b. CCbutterfly: "k wot u want do on them?"

- c. notprude: "Well id love some pics and maybe more depends on what youll do for me"
- d. CCbutterfly: "what u mean, what i gotta do"
- e. notprude: "tbh you dont have to do anything that's why i said depending what youre willing to do"
- f. CCbutterfly: "dont wann send nudes if that wot u mean?"
- g. notprude: "ayt nudes are nice I do like just sexy pics in general tho sexy pics dont have to be nude"
- h. CCbutterfly: "oh ok like wot tho"
- i. notprude: "well cute outfits that show skin swimsuits and lingerie"

On January 18, 2021, the following relevant chat messages were sent:

- a. notprude: "Lol still can do bra panties then baby girl its not really much different depending what kind of bra and panties you wear"
- b. CCbutterfly: "jus normal I guess lol"

Later, during the January 18, 2021 conversation, the following relevant chats were sent:

- a. CCbutterfly: "oh ok got hangouts"
- b. notprude: zenfun71@gmail.com

On January 20, 2021, the following relevant chat messages were sent:

- a. notprude: "talk to me more baby girl"
- b. CCbutterfly: "Hey soz Mums been well aggy with me"
- c. notprude: "Awe that sucks but if you really bee my slave I want pics baby"
- d. CCbutterfly: "wot kinda pics do u want"
- e. notprude: "bra and panties then just panties than nude"

- f. CCbutterfly: "wot u gonna do wiv them tho"
- g. notprude: "use them to masturbate when your busy"
- h. CCbutterfly: "oh ok u js want nude pics of me then and nothin real?"
- i. notprude: "no if im able I want to fuck you some day"
- j. CCbutterfly: "you cant come here tho cos id get in loads trouble"
- k. notprude: "we will plan that for later but everyday I want to see your bra and panties and just you in panties no bra and I'll ask for nudes when I want them ok baby girl say yess daddy if your willing to be my sex slave."

7. In a later chat, that occurred on February 22, 2021, the suspect told "CCbutterfly" it was his birthday. The suspect also communicated with "CCbutterfly" on Google Hangouts using the email address zenfun71@gmail.com (Zen Fun). During those communications, "Zen Fun" says "im ry" and "Short for Ryan my name".

8. Detective Walker obtained MyLOL records associated with the user ID 6113388 and the user login "notprude" through a search warrant, which included the chat logs in their entirety, that confirmed the content of these screenshots sent with the Europol report. MyLOL records also indicated that the suspect account contacted over 560 additional individual MyLOL users between January 7, 2021, and February 21, 2021. Each user was listed between thirteen and seventeen years of age. In numerous instances, the suspect would ask if the child user had an "age limit" then would soon attempt to discuss sexual topics with these users and requests sexual images. The suspect was accessing his account from IP address 107.205.50.98, which was serviced by AT&T in the Springfield, Missouri, area.

9. In addition, law enforcement received two Cybertips (CT) from the National Center for Missing and Exploited Children (NCMEC). Both CTs were associated with the same suspect IP

address. CT 81856747 was an anonymous tip alleging that on October 23, 2020, the user of 107.201.50.98 had been chatting on Discord with the complainant, who was a private citizen portraying themselves as a 13-year-old child. The suspect solicited the complainant for child pornography. While it is not ICAC policy to cooperate with citizen vigilantes, this Affiant is citing this cyber tip as corroborating information for the primary investigation.

10. CT 81370349 was received by NCMEC on October 14, 2020, after employees of Microsoft discovered apparent child pornography on their servers. The file was uploaded on October 11, 2020, from IP address 107.201.50.98 to a Skype user account "Zyneto". Employees at Microsoft reviewed the entire contents of the uploaded file before making the CT. Detective Walker reviewed the file that was submitted with the CT and found it was a video depicting an unclothed prepubescent female and an unclothed adult male. In the video, the male has vaginal sex with the child. Later in the video, the child performs oral sex on the male, while the adult male performed oral sex on the child.

11. SPD Detective Thomas Hicks, while investigating the above listed CTs, obtained AT&T records related to the IP address 107.201.50.98, through an investigative subpoena. AT&T responded and indicated that the subscriber assigned to this IP address was Kody KELSO, with an address of "1909 E Cherry #1, Springfield, MO."

12. Detective Hicks obtained Skype records through court order for the "Zyneto" account. The records response contained images of a male identified as Kody KELSO by Detective Walker. Detective Walker had viewed other images of Kody KELSO using police resources.

13. Detective Walker obtained Google records for account zenfun71@gmail.com through court order. The account contained photos of a male Detective Walker identified as Kody KELSO, again recognizing KELSO from images found using police resources. The device GPS location

data was consistently very near 1909 East Cherry Street, Springfield, Greene County, Western District of Missouri.

14. Using public records and SPD police reports, Detective Walker found that Kody and Mikayla Kelso claimed to be residing at 1909 East Cherry, #1, Springfield, Missouri.

15. On June 10, 2021, and June 11, 2021, Detective Walker conducted limited surveillance at 1909 East Cherry Street, #1, Springfield, Missouri. He also contacted management of the apartment building. From management, Detective Walker learned that Kody KELSO was a resident of apartment #1. Detective Walker also discovered through police resources that KELSO drove a silver Dodge Caravan bearing Missouri license plate number XE91FD which was registered to his mother, Pamela Kelso, of Strafford, Missouri. Detective Walker observed this vehicle at the 1909 East Cherry Street, on June 11, 2021. According to Department of Revenue records, KELSO's date of birth is February 22, 1991.

16. On June 16, 2021, law enforcement executed a search warrant on KELSO's residence located at 1909 East Cherry Street, #1, Springfield, Missouri. They contacted KELSO at the residence. KELSO and his toddler aged daughter were at the home when law enforcement arrived to execute the search warrant. KELSO's other daughter was at school when law enforcement arrived. Detective Walker learned that KELSO's wife did not live in the home as she suffered medical event in late 2019, and had been in an assisted living home since she suffered from that medical event. Therefore, at the time of these chat messages on MyLOL, KELSO was the only adult living in the home, and both of his children who also resided in the home were under the age of seven.

17. Based on the facts set forth in this affidavit, and my training and experience, I believe that beginning on an unknown date, but as early as January 1, 2021, and continuing through June 16,

2021, in Greene County, in the Western District of Missouri, the defendant, **KODY RYAN KELSO**, did and attempted to employ, use, persuade, induce, entice, and coerce a minor, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, which visual depiction was intended to be transported in interstate commerce, all in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

Further your affiant sayeth not.



Brian Martin
Task Force Officer
Homeland Security Investigations

Sworn to and subscribed to before me in my presence via telephone on the 17th
day of June, 2021.



HONORABLE DAVID P. RUSH
Chief United States Magistrate Judge
Western District of Missouri